

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale  
Held on Tuesday, March 12, 2019**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 12, 2019, at 6:00 P.M. in the Clarkdale Police Annex, 49 N. Ninth Street, Clarkdale, Arizona.

**CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.**

Town Council:

Mayor Doug Von Gausig  
Vice Mayor Richard Dehnert  
Councilmember Scott Buckley

Councilmember Bill Regner  
Councilmember Debbie Hunseder

Town Staff:

Town Manager Gayle Mabery  
Administrative Services Director Kathy Bainbridge  
Finance Manager Kathy Cwiok  
Economic/Community Development Director Jodie Filardo  
Utilities/Public Works Director Maher Hazine  
Police Chief Randy Taylor  
Court Supervisor Brenda Schorr  
Clarkdale Magistrate William Lundy  
Town Clerk Mary Ellen Dunn

**PUBLIC COMMENT** – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

**There was no public comment.**

**REPORTS**

**Current Events** – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

**Mayor's Report –**

- 02/12/19 – Telephone call with Joe Brunner from Freeport-McMoRan regarding Brewer's Tunnel/Dam, Peck's Lake, - Freeport stated they would not be rebuilding the dam but rather would take it out permanently. "The elimination of this 105-year old dam is the single most important thing to happen to the Verde River in the Verde Valley." Continues to contain a lot of metal that is not now under water so caution must be used.

- 02/15/19 – Met with Darla from APS
- 02/28/19 – Attended Intergovernmental meeting
- 03/06/19 – Telephonic attendance of the Sustaining Flows Coordinating Council
  
- Vice-Mayor's Report –
  
- 02/28/19 – Attended NACOG Regional Council Meeting;
  - Attended Intergovernmental meeting at Cliff Castle Casino
- 03/07/19 – Telephone call with Carole Peet regarding Verde Valley Medical Center inspection and changes; Verde Valley Medical Center and Northern Arizona Healthcare are coordinating with Spectrum Health for behavioral health support services;
  - Telephone call with April Rhodes from Spectrum to discuss outpatient support services;
- 03/09/19 – Attended 9<sup>th</sup> Annual Clarkdale Car Show

Councilmember Regner's Report –

- 02/13/19 – Telephone conference call with TPAC
- 02/16/19 – Attended Verde Valley Leadership Scholarship Fundraiser
- 02/27/19 – Attended Clarkdale Historical Society and Museum (CHSM) Strategic Planning session
- 02/28/19 – Attended Intergovernmental meeting
- 03/06/19 – Attended CHSM Strategic Planning
- 03/07/19 – Attended Yavapai College Building L Design presentation
  - Attended Yavapai College Verde Valley reception for Lisa Rhine
- 03/09/19 – Attended bank robbery reenactment rehearsal for March 13<sup>th</sup> show and are looking for actors/extras
  - Attended Clarkdale Car Show and Chili Cookoff

Councilmember Buckley's Report –

- 03/07/19 – Attended Clarkdale Car Show and Chili Cookoff

Councilmember Hunseder's Report –

- 02/13/19 – Attended Local First Verde Valley Mixer – Empowering the Next Generation
- 02/15/19 – Attended emergency operations center during the flooding
- 02/22/19 – Attended Clarkdale Rocks Gem and Mineral Show
- 02/26/19 – Met with town staff regarding Verde Valley Wine Festival
- 02/27/19 – Attended CHSM Strategic Planning
- 03/05/19 – Attended Clarkdale Downtown Business Alliance meeting
- 03/06/19 – Attended CHSM Strategic Planning
- 03/09/19 – Attended 9<sup>th</sup> Annual Clarkdale Car Show and Chili Cookoff

**Town Manager's Report –**

- Reminders: April schedules are busy for Council and staff.
- April 2, 9, 17, 18, 19, 23, and 30: Council meeting obligations
- April 11: Volunteer Appreciation
- Novak Recruitment Firm reports a lot of applications for Town Manager Recruitment
- April 17 (6 – 8 p.m.) Town Manager Meet the Candidates Open House
- Congratulations to Councilmember Regner on appointment to NACOG Transportation Policy Advisory Committee
- Vice Mayor Dehnert representing Clarkdale on March 15<sup>th</sup> meeting with Senator Martha McSally
- Yavapai County Board of Supervisors invited Clarkdale Town Manager and Mayor to meeting as Clarkdale is designated to receive \$8000 from NACOG's County allocation. Will be used for a new ramada at Lower Tapco. Presentation will be on March 20 at 10 a.m in Cottonwood
- Clark Memorial Library increased programming. The next event is first edition of 4<sup>th</sup> Friday Films – they will screen "Green Book"
- Public Works and Utilities have worked with a company who has installed an LED light; partnering with organization that will convert all street lights to LED lights.

**Organizational Reports – Reports regarding regional organizations.****CAT – Cottonwood Area Transit (Councilmember Buckley)**

- No report

**VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)**

- No report

**NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)**

- February 28, 2019 in Flagstaff:
  - 1) Appointment of committee members for TPAC including Councilmember Regner and Supervisor Thurman;
  - 2) Approval of 2019 Headstart grant application
  - 3) Adopted on Resolution and two letters:
    - a. Resolution 319 urged state leaders to take action to increase Arizona's investment in transportation infrastructure;
    - b. Letter to Governor Ducey and Arizona Legislative Leadership supporting the 2019 transportation legislative agenda;
    - c. Letter of support for Arizona Department of Transportation's application for grant funding for improvements on Interstate 17
    - d. Recent update on transportation bills indicate original plan to redistribute \$17

million in HURF revenue to smallest counties and municipalities has been amended to eliminate this HURF distribution and appropriate \$60 million in General Funds to all counties and municipalities for transportation infrastructure. Funding to be split evenly between counties and municipalities with floors of \$1.5 million per county and \$150,000 per municipality. Passed House and will go to Senate.

NAMWUA - Northern Arizona Municipal Water Users Association. (Councilmember Buckley)

- No report

**CONSENT AGENDA** - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. **Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held February 12, 2019 and Special Meeting February 26, 2019.
- B. **Claims** - List of specific expenditures made by the Town during the previous month. February, 2019 check log and PPE dated February 2 and February 16, 2019.
- C. **Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month’s Board and Commission Meetings.  
Board of Adjustments Notice of Cancellation of Meeting February 27, 2019  
Design Review Board minutes of meeting held February 6, 2019  
Planning Commission Notice of Cancellation of Meeting February 19, 2019  
Parks and Recreation Commission minutes of the meeting held February 12 and February 13, 2019
- D. **Mayors’ Day of Recognition for National Service Proclamation** – Approval of a proclamation which is a national bipartisan effort to recognize the positive impact of national service in cities and towns, to thank those who serve, and to encourage citizens to give back to their communities.
- E. **“National Vietnam War Veterans Day” Proclamation** - Approval of a proclamation setting March 29, 2019 as National Vietnam War Veterans Day in Clarkdale.
- F. **Proclamation Declaring April, 2019 as Water Awareness Month** – Approval of a proclamation declaring April, 2019 as Water Awareness Month in the Town of Clarkdale.
- G. **Proclamation Declaring April 7 – 13, 2019 as Volunteer Appreciation Week** – Approval of a proclamation declaring April 7 – 13, 2019 as Volunteer Appreciation Week in the Town of Clarkdale.

- H. Resolution Adopting a Fair Housing Policy** – Approval of Resolution #1595, a Resolution Adopting a Fair Housing Policy, Making Known its Commitment to the Principle of Fair Housing, and Describing Actions it Shall Undertake to Affirmatively Further Fair Housing.
- I. Resolution Adopting a Residential Antidisplacement and Relocation Assistance Plan for FY 2019 – FY 2024** – Approval of Resolution #1596, a Resolution Adopting a Residential Antidisplacement and Relocation Assistance Plan for FY 2019 – FY 2024 as Required under Section 104(d) of the Housing and Community Development Act of 1974 as Amended, Amending Resolution #1426.
- J. Joint Defense Agreement with the City of Cottonwood** – Approval of a Joint Defense Agreement between the City of Cottonwood and the Town of Clarkdale relating to claims that could arise as a result of a City of Cottonwood sponsored event that will traverse areas within Clarkdale.

**Action: Approve Consent Agenda items A – J as presented.**

**Motion: Vice Mayor Dehnert**

**Second: Councilmember Hunseder**

**Vote:**

| Voting Member                  | Aye/Nay |
|--------------------------------|---------|
| Council Member Scott Buckley   | Aye     |
| Vice Mayor Richard Dehnert     | Aye     |
| Council Member Debbie Hunseder | Aye     |
| Council Member Bill Regner     | Aye     |
| Mayor Doug Von Gausig          | Aye     |

**Mayor Von Gausig pulled Item K.**

- K. Town Manager Gayle Mabery's Notice of Retirement** – Acceptance of Resolution #1597, a Notice of Retirement from Town Manager Gayle Mabery, effective July 1, 2019.

Town Manager Gayle Mabery has submitted her official Notice of Retirement as Town Manager of the Town of Clarkdale, effective July 1, 2019. This notice fulfills Mabery's contract with the Town which requires a minimum 60-day notice of termination of the Contract. The approval of Resolution #1597 creates an official permanent record of the acceptance of this letter and notice of retirement.

The Mayor read the Mabery's letter and Resolution #1597. Discussion followed regarding whether the Council was willing to accept the Notice of Retirement.

**Action: Approve Resolution #1597, accepting Town Manager Gayle Mabery's Notice of Retirement.**

**Motion: Mayor Von Gausig**  
**Second: Vice Mayor Dehnert**

After a bittersweet Council discussion on this issue, they reluctantly moved forward to the vote.

**Vote:**

| Voting Member                  | Aye/Nay |
|--------------------------------|---------|
| Council Member Scott Buckley   | Aye     |
| Vice Mayor Richard Dehnert     | Aye     |
| Council Member Debbie Hunseder | Aye     |
| Council Member Bill Regner     | Aye     |
| Mayor Doug Von Gausig          | Aye     |

**NEW BUSINESS**

**FISCAL YEAR 2017-2018 ANNUAL FINANCIAL STATEMENTS** – Presentation of the Annual Financial Statements and consideration of approval of the 2017-2018 Annual Financial Statements.

The annual audit and the auditor reports have been completed for Fiscal Year 2018. The Annual Financial Statements and Independent Auditors' Report summarizes all funds including General, Streets, Water, Wastewater, Sanitation, and Cemetery, and is presented on the basis of accounting prescribed by the Uniform Expenditure Reporting System (UERS), as required by the Arizona Revised Statutes, and in accordance with the voter-approved permanent base adjusted expenditure limitation. Included in the report is the Management's Discussion and Analysis which was written by Administrative Services Director Kathy Bainbridge and provides an overview of the financial activities for the fiscal year ended June 30, 2018, a comparison with the previous year activities and an introduction to the basic financial statements.

The Governmental Fund Balance/Net Position Components are located on pages 24 through 31. These pages detail the restricted, assigned and unassigned portions of fund balances in the Governmental Funds and Net Positions in the Proprietary Funds.

Included in the Notes to Financial Statements starting on page 49 are the Pensions and Other Postemployment Benefits Notes.

The Town is responsible for establishing and maintaining effective internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance.

A material weakness in internal control over compliance is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance will not be prevented, or detected and corrected.

A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

The Schedule of Findings and Questioned Costs is a summary of the Auditor's results and is found on page 89. The Schedule states that there were no material weaknesses identified, no significant deficiencies identified, no noncompliance material noted to the financial statements and no Findings. The Schedule addresses both the annual audit which produces the Financial Statements and the Single Audit which is required when the Town receives \$750,000 or more in federal funds through grants in a fiscal year.

The auditors communicated to Town management recommendations for improvements in the Town's internal control procedures regarding the municipal court cash. The Town has since adopted a Memorandum of Understanding between the Court and Town to establish verification and reconciliation of the municipal court accounting reports.

The auditors also communicated to Town management recommendations for improvements regarding restricting Vehicle Licensing Tax revenues in a special revenue fund. The Town has since moved those funds to the General Fund.

Administrative Services Director Kathy Bainbridge introduced this agenda item and stated that this would be her final audit for the Town of Clarkdale prior to her retirement later this year. Bainbridge introduced Scott Graf from Colby and Powell, Clarkdale's auditors, who presented information on the audit. Some discussion followed regarding the Municipal Court account and deficiencies in reconciliations and compliance requirements. Graf discussed 'control deficiencies' which are not significant enough to include in statements, however are brought to the attention of the Town as they may escalate into more serious issues later. Improvement areas include the Court's cash account not reconciling to the Town's General Ledger account. He noted that the Town does not have a procedure in place to verify and reconcile the account balance to the account system of the Town. These imbalances required an adjustment to balance. Recommendation to the Town is that the Finance Department work with the Municipal Court Clerk to make sure those reconciliations are completed. By the 25<sup>th</sup> of each month the reconciliations should be performed and provided to the Town Finance Department for review. Any time an internal control procedure is completed, documentation, date and initials of who performed the procedure should be reported.

Bainbridge addressed the Council during discussion of Municipal Court unreconciled cash/liability accounts: *"I just want to clarify that the finance department has struggled the last 3-4 years to try and get information that we needed from the Court in order to set*

*up these procedures, and we kept the Judge, and Court Administrator, the Town Manager and the Mayor apprised of those situations every few months by email, letting them know that we feel that we aren't getting enough information on a timing process and that the remittances to the State and to the County had not been made in a timely manner. So, we have tried to get this information, to not have this issue come up and now we're hoping that through the MOU we will be getting this information we need on time, on a consistent basis. But I just wanted to make sure it was clarified that we have been trying to get this process set up for many, many years. It's not that we were ignoring that it was not happening."*

Town Manager Mabery stated that the MOU with the Court requires reconciliation document remission by the 25<sup>th</sup> of each month. Town Magistrate Lundy stated that he would be cognizant of reporting communication and that remissions would be current in the future.

Graf discussed the Manager's Discussion and Analysis statement and commended Bainbridge on her reporting. Bainbridge discussed the effects of one-time funding such as grants on the budget over time.

At the conclusion of Graf's presentation, Town Manager Mabery stated that Bainbridge's service over the years has contributed to Council confidence in the clarity of the Town's financial reporting detail. Mayor Von Gausig and Graf agreed with the assessment.

**Action: Approve the Annual Financial Statements and Independent Auditors' Report dated June 30, 2018 and Annual Expenditure Limitation Report and Independent Accounts' Report dated June 30, 2018.**

**Motion: Councilmember Regner**

**Second: Councilmember Hunseder**

**Vote:**

| Voting Member                  | Aye/Nay |
|--------------------------------|---------|
| Council Member Scott Buckley   | Aye     |
| Vice Mayor Richard Dehnert     | Aye     |
| Council Member Debbie Hunseder | Aye     |
| Council Member Bill Regner     | Aye     |
| Mayor Doug Von Gausig          | Aye     |

**WORKSESSION REGARDING THE CLARKDALE GENERAL PLAN'S GOAL FOR A MORE WALKABLE-BIKEABLE COMMUNITY** – A worksession focusing on the General Plan, Chapter 3, regarding the implementation of a "Multi-Modal Circulation Plan" toward the goal of a more walkable-bikeable community.

**BACKGROUND:** The approved General Plan, Chapter 3 (Circulation) outlines the need for a Multi-Modal approach to our Transportation System. This would require a comprehensive approach to considering transportation needs and opportunities for not only automobiles but also all other methods of moving goods and people. There are significant



social, environmental and economic benefits derived from modes of transportation other than single-occupant vehicles. Walking, bicycling, and public transit serve these purposes.

A comprehensive program to improve conditions for bicycling typically has a number of components including designating continuous routes on existing roads, requiring adequate roadway width for new roads and other street improvement projects, establishing a consistent system of signs.

The General Plan highlights several objectives that describe policies to address this requirement. They are as follows (emphasis added):

***OBJECTIVE 3.1.b Develop and maintain a comprehensive transportation system that efficiently carries a variety of modes of traffic within and through the community.***

**Policy:** Maximize connectivity between streets to increase travel options.

**Policy:** Combine education with enforcement to instill safe and courteous use of the shared public roadway.

**Policy:** Design roadway improvements and facility modifications to minimize the potential for conflict between pedestrians, bicycles, and automobiles.

***OBJECTIVE 3.2.a Provide an adequate, safe, convenient and interconnected system of pedestrian facilities throughout the Town.***

**Policy:** Identify walkway engineering standards and design criteria for new development and upgrades to existing neighborhoods.

***OBJECTIVE 3.2.b Improve opportunities for bicycling.***

**Policy:** Establish a comprehensive bicycle program that includes physical improvements to streets, bicycle parking facilities, signed route systems and education programs for people of various ages.

To meet these policies, staff will create an overall “Multi-Modal Circulation Plan” to identify opportunities for the Multi-Modal approach. This plan will be coordinated with local Biking groups in the Verde Valley to solicit their input.

While developing the plan can be accomplished in-house, available funding is limited to implement such a plan. Therefore, staff is recommending a process where we would identify potential areas within the “Multi-Modal Circulation Plan” for narrowing existing travel lanes and add necessary striping and signage to establish the Multi-Modal lanes. This will allow us to meet our goal of a walkable-bikeable community within our available resources. However, doing so will result in reduced lane width within the current 12-feet. This is a plus as this will tend to slow vehicles down naturally.

This, however, may require us to adjust posted speeds on certain roads which are higher than would safely support this approach. In these cases, we are requesting approval from

Council to allow the Public Works-Utilities Director/Town Engineer and the Police Chief to determine the appropriate speed. A good example of this is South Broadway Street where the current speed from Main Street to the Town limits varies between 25 mph to 45 mph. The segments where 45 mph are posted would be the area we would be reducing the posted speed limit to 35 mph. This is consistent with the continuation of the roadway in the City of Cottonwood.

If Council does not approve such an approach our only alternative would be to either expand the width of the roadway (which is currently not funded and we are unable to utilize current grant funds to widen the roadway) or simply leave that portion of the plan with no bike lane resulting in non-compliance with the voter approved General Plan and the Council approved Broadway Corridor Focus Area Plan.

Staff is requesting guidance on our approach. Timing of this item is critical as we are currently in design of the first phase of the South Broadway Street Overlay.

**Action: This item is being presented for discussion only and no formal action is necessary.**

**ARIZONA WATER/WASTEWATER AGENCY RESPONSE NETWORK (AZWARN) –**  
Discussion and possible action on entering into an updated Mutual Aid Agreement with AZWARN for water/wastewater emergency support.

AZWARN is a statewide mutual assistance program between water and wastewater utilities throughout Arizona. AZWARN is a volunteer based network, which allows utilities to help one another in times of emergencies when resources are overwhelmed. In emergencies, the member utilities in AZWARN can lend assistance with personnel, equipment, services and supplies.

On February 26, 2013, representatives of AZWARN presented their Mutual Aid Program to the Council and on April 9, 2013 Council approved entering into this Program. The current expiration date of the Agreement is June 30, 2020.

AZWARN has made changes to the Mutual Aid Program Agreement to further clarify the relationship among the Members and to provide a mechanism whereby additional entities, including private water and wastewater utilities, can join the AZWARN. The new Agreement would terminate on June 30, 2030 unless extended.

They are also asking for a fee of \$250.00 per year for administrative costs, which is voluntary.

**Action: Approve and enter into the updated Mutual Aid Agreement with AZWARN and allow payment of \$250.00 per year in support of the Program.**

**Motion: Councilmember Buckley**

**Second: Vice Mayor Dehnert**

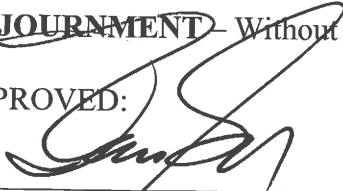
**Vote:**

| Voting Member                  | Aye/Nay |
|--------------------------------|---------|
| Council Member Scott Buckley   | Aye     |
| Vice Mayor Richard Dehnert     | Aye     |
| Council Member Debbie Hunseder | Aye     |
| Council Member Bill Regner     | Aye     |
| Mayor Doug Von Gausig          | Aye     |

**FUTURE AGENDA ITEMS** - Listing of items to be placed on a future council agenda.

**ADJOURNMENT** - Without objection, Mayor Von Gausig adjourned the meeting at 7:50 p.m.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:



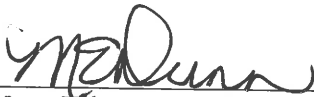
Mary Ellen Dunn, Town Clerk

**CERTIFICATION**

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 12<sup>th</sup> day of March, 2019. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 9<sup>th</sup> day of April, 2019.

SEAL



Mary Ellen Dunn, Town Clerk